

GEORGE B. FREEHILL
WILLIAM L. JUSKA, JR.
JAMES L. ROSS*
ERIC E. LENCK
JOHN J. WALSH*
PATRICK J. BONNER*
PETER J. GUTOWSKI
MARK F. MULLER
WAYNE D. MEEHAN*
DON P. MURNANE, JR.Δ
THOMAS M. RUSSO
THOMAS M. CANEVARI¹
MICHAEL FERNANDEZ*
JOHN F. KARPOUSIS*Δ
MICHAEL E. UNGER*¹
WILLIAM J. PALLAS*
GINA M. VENEZIA*Δ
LAWRENCE J. KAHN*
BARBARA G. CARNEVALE*
MANUEL A. MOLINA
JUSTIN T. NASTRO*
PAMELA L. SCHULTZ*¹
DANIEL J. FITZGERALD*¹Δ
MICHAEL C. ELLIOTT*
JAN P. GISHOLT¹

* ALSO ADMITTED IN NEW JERSEY
¹ ALSO ADMITTED IN CONNECTICUT
Δ ALSO ADMITTED IN WASHINGTON, D.C.
* ALSO ADMITTED IN LOUISIANA

LAW OFFICES OF
FREEHILL HOGAN & MAHAR LLP
80 PINE STREET
NEW YORK, N. Y. 10005-1759

TELEPHONE (212) 425-1900

FACSIMILE (212) 425-1901

E-MAIL: reception@freehill.com

www.freehill.com

NEW JERSEY OFFICE
549 SUMMIT AVENUE
JERSEY CITY, N.J. 07306-2701
TELEPHONE (973) 623-5514
FACSIMILE (973) 623-3813

CONNECTICUT OFFICE
23 OLD KINGS HIGHWAY SOUTH
DARIEN, CT 06820-4538
TELEPHONE: (203) 921-1913
FACSIMILE (203) 358-8377

MEMO ENDORSED

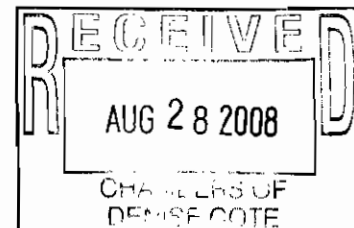
August 28, 2008

By Hand

The Honorable Denise L. Cote
United States District Court
Southern District of New York
500 Pearl St., Room 1040
New York, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/3/08

Our Ref: 486-07/PJG



Re: Novoship et al. Wilmer Ruperti, et al.
07-CV-9876 (DLC)

Dear Judge Cote,

We represent Plaintiffs in the captioned action and write to seek the Court's approval of a brief adjournment of the current schedule for the completion of discovery on the transfers made by Defendants through New York, while settlement negotiations are undertaken. The current deadline for the completion of discovery is August 29, 2008. This is the first request for an extension. Counsel for Defendants joins in this request. The situation is as follows.

As the Court may recall, this action involves an attachment under Rule B which was the subject of a motion to reinstate. That application was granted, and under the Court's most recent Order, Plaintiffs were granted leave to take discovery of Defendants' transfers moving through New York. Thereafter, the parties are to brief the issue of whether the order of attachment should be expanded to include other entities/persons.¹

¹ The only other deadlines affected by an extension of the discovery deadline are those set for the briefing on the issue of whether the attachment should be expanded. If the discovery deadline is extended, the deadlines for the parties' briefing would likewise be extended.

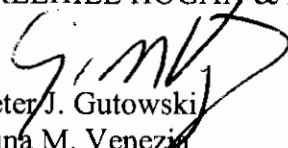
August 28, 2008
Page 2

The discovery has been initiated, and document requests, deposition notices and subpoenas have been issued. Very recently, however, the parties initiated discussions that could potentially resolve the proceedings here in New York. In view of this, and owing to the fact that the discussions have and will take place primarily in London, the parties have agreed to adjourn the discovery in New York (subject to Your Honor's approval) while this effort is underway.

Under these circumstances, we propose that the discovery be held in abeyance while these discussions move forward with the understanding that if the negotiations do not result in an agreement which obviates the need to proceed with the case in New York, we will so notify the Court and then complete the discovery within a month of that point in time. Obviously, if the case is resolved in the interim, we would notify Your Honor and enter a dismissal. We anticipate that, at most, these discussions should take no longer than 30 days, and if they should fail in the interim, we will immediately pick up with the discovery at that point in time.

We hope the foregoing meets with the Court's approval, and thank the Court for its attention to this request.

Respectfully submitted,
FREEHILL HOGAN & MAHAR LLP



Peter J. Gutowski
Gina M. Venezia

PJG:mjg

cc: Via Email

Stroock & Stroock & Lavan LLP

Attn: Henry Mendia, Esq. - hmendia@stroock.com

Elizabeth Cronise, Esq. - ecronise@stroock.com

James Bernard, Esq. - jbernard@stroock.com

*The dates in the
June 20 order are
extended by four
weeks. There shall
be no further
extension.*

*Janice L. Lee
Sept. 3, 2008*